tules and purplish discolorations. * * * I tried long and strict diets. I even went to one specialist who took some of my pus and made some sort of culture and injected it via the hypodermic needle. I believe he called it acne vaccine.' * * * 'The first box I used began a marvelous improvement, the pimples became smaller and fewer, the discolorations faded and disappeared and now I can look back on those awful years * * * for I truly suffered as I believe every one with acne does.'"

On August 29, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

23269. Misbranding of Diana Sosborszesz. U. S. v. 19 Bottles and 34 Bottles of Diana Sosborszesz. Default decree of condemnation and destruction. (F. & D. no. 33102. Sample nos. 65647–A, 65648–A.)

This case involved shipments of a drug preparation, the labels of which contained unwarranted curative and therapeutic claims. The product in one shipment contained less alcohol than declared on the label.

On July 24, 1934, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 19 large bottles and 34 small bottles of Diana Sosborszesz at Chicago, Ill., alleging that the article had been shipped in interstate commerce, on or about December 9, 1933, and March 13, 1934, by the Diana Manufacturing Co., from Masontown, Pa., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Diana Sosborszesz Alcohol 48% (Franzbrandwein) * * * Prepared for Diana Mfg. Co. Uniontown, Pa."

Analyses showed that the product in the large bottles consisted essentially of alcohol (39.7 percent), acetone, ethyl acetate, volatile oils including peppermint oil (7.8 percent), boric acid, zinc phenolsulphonate, and water; and that the product in the small bottles consisted essentially of alcohol (48.8 percent), acetone, ethyl acetate, volatile oils including peppermint oil (1.2 percent), acetic acid, sodium chloride, and water.

The libel charged that the article was misbranded in that the following statements on the labels, were statements regarding the curative or therapeutic effects of the article, and were false and fraudulent: (English) "Recommended for * * * Rheumatism, Lumbago, Etc."; (foreign language) "The best rub medicine for * * * gout, rheumatism condition and to all outside troubles." Misbranding was further alleged in that the statement "Alcohol 48%", borne on the label of the large size, was false and misleading since the product in the large bottles contained less than 48 percent of alcohol.

On September 26, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

23270. Adulteration and misbranding of sweet spirits of niter. U. S. v. 15 Dozen Packages of Sweet Spirits Niter. Default decree of condemnation and destruction. (F. & D. no. 33113. Sample no. 62287–A.)

This case involved a shipment of sweet spirits of niter, a sample of which was found to contain 1.91 percent of ethyl nitrite, which was materially less than declared on the label and less than the minimum required by the United States Pharmacopoeia for spirit of niter.

On July 23, 1934, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 15 dozen packages of sweet spirits of niter at Hagerstown, Md., alleging that the article had been shipped in interstate commerce, on or about March 14, 1934, by the C. F. Sauer Co., from Richmond, Va., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Sweet Spirits Nitre * * * Ethyl Nitrite 4%."

The article was alleged to be adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of strength as determined by the test laid down in the said pharmacopoeia official at the time of investigation, and its own standard of strength was not stated on the label. Adulteration was alleged for the further reason that the strength of the article fell below the professed standard and quality under which it was sold, namely, (bottle label and carton) "Ethyl Nitrite 4%."